

1 THE HONORABLE JOHN C. COUGHENOUR

2
3
4
5
6
7
8
9 UNITED STATES DISTRICT COURT
10 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

11 BRIAN R. CARTMELL, in his capacity as
12 attorney-in-fact and agent acting on behalf of
13 the shareholder REPRESENTATIVE for the
former eNIC Corporation shareholders,

14 Plaintiff,

15 vs.

16 VERISIGN, INC., a Delaware corporation,

17 Defendant.

NO. CV02-2411C

18
19
20
21
22
23
24
25
26
27
28
**STIPULATION AND ORDER
GRANTING PLAINTIFF LEAVE
TO FILE FIRST AMENDED
COMPLAINT**

20 WHEREAS, the former shareholders of eNIC Corporation, by and through their
21 shareholder Representative, wish to file the proposed First Amended Complaint which is
22 attached to this stipulation as Exhibit A;

23 WHEREAS, the claims Brian Cartmell brought in the original complaint,
24 personally as an individual (but not as the shareholder Representative), are moot, and
25 accordingly those claims should be dismissed, but not any claims he may have by virtue
26 of being a former shareholder of eNIC Corporation; and

27 ///

28 ///

1 WHEREAS, defendant Verisign, Inc. consents to the foregoing subject to the
2 condition that VeriSign may respond without limitation to the proposed Amended
3 Complaint including, inter alia, by answer, counterclaim, or affirmative defense.

4
5 DATED this ____ day of July, 2005.

6
7 **NEWMAN & NEWMAN,**
8 **ATTORNEYS AT LAW, LLP**

LANE POWELL PC

9
10 By: Derek A. Newman
11 Derek A. Newman, 26967
Roger M. Townsend, 25525
Attorneys for Plaintiffs

By: / s / with permission
John R. Neeleman, 19752
Gwendolyn C. Payton, 26752
Attorneys for Defendants

12
13 **ORDER**

14 Based upon the stipulation of the parties, the Court hereby ORDERS:

15 1. The former shareholders of eNIC Corporation, by and through their
16 shareholder Representative, may file a First Amended Complaint.

17 2. Brian Cartmell's claims against Defendant brought on his own behalf, but
18 not any claims brought as the Shareholder Representative, are hereby dismissed without
19 prejudice, and without costs or fees to any party. Nothing contained in this stipulation or
20 order is intended to affect Mr. Cartmell's rights or claims as shareholder Representative,
21 nor any rights or claims he may have by virtue of being a former shareholder of eNIC
22 Corporation.

23 3. VeriSign may respond without limitation to the proposed Amended
24 Complaint including, inter alia, by answer, counterclaim, or affirmative defense.

25 Dated this __9th__ day of August, 2005.

26
27 
28 UNITED STATES DISTRICT JUDGE